

ENTERED

November 29, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

MAURICE EUGENE DAVY,

Plaintiff,

VS.

US MARSHALS, *et al.*,

Defendants.

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CIVIL ACTION NO. 3:14-CV-367

ORDER OF DISMISSAL

Plaintiff Maurice Eugene Davy has filed a complaint under 42 U.S.C. § 1983, alleging that violations of his civil rights occurred in Galveston County, Texas. The case appears to be time-barred. The Court issued a show cause order in which it ordered Davy to show cause why his claims should not be dismissed as barred by the statute of limitations (Dkt. 13). Davy never responded and has not otherwise contacted the Court.

A court may dismiss an action *sua sponte* for failure to prosecute or for failure to comply with any court order. *Larson v. Scott*, 157 F.3d 1030, 1031–32 (5th Cir. 1998). “This authority flows from the Court’s inherent power to control its docket and prevent undue delays in the disposition of pending cases.” *Boudwin v. Graystone Ins. Co., Ltd.*, 756 F.2d 399, 401 (5th Cir. 1985) (citing *Link v. Wabash Railroad Co.*, 370 U.S. 626 (1962)). Davy has not complied with the Court’s show cause order, and he has not shown any desire to continue pursuing this case.

Based on the foregoing, the Court **ORDERS** as follows:

1. This case is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute and for failure to comply with the Court's order to show cause.
2. Any pending motions are **DENIED** as moot.

This is a **FINAL JUDGMENT**.

The Clerk is directed to provide a copy of this order to the parties.

SIGNED at Galveston, Texas on November 28, 2017.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE